

## § 917.1

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### REGULATION BY GRADES, SIZES, AND MINIMUM STANDARDS OF QUALITY AND MATURITY

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917.459 California Peach Grade and Size Regulation.

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AUTHORITY: 7 U.S.C. 601–674.

### Subpart—Order Regulating Handling

SOURCE: 41 FR 17528, Apr. 27, 1976, unless otherwise noted.

### DEFINITIONS

#### § 917.1 Secretary.

*Secretary* means the Secretary of Agriculture of the United States, or any officer or employee of the Department to whom authority has heretofore been delegated, or to whom authority may hereafter be delegated, to act in his stead.

#### § 917.2 Act.

*Act* means Public Act No. 10, 73d Congress (May 12, 1933), as amended, and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U.S.C. 601–674).

#### § 917.3 Person.

*Person* means an individual, partnership, corporation, association, or any other business unit.

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#### § 917.4 Fruit.

*Fruit* means the edible product of the following two kinds of trees (a) all varieties of peaches, and (b) all varieties of pears except Beurre Hardy, Beurre D'Anjou, Bosc, Winter Nelis, Doyenne du Comice, Beurre Easter, and Beurre Clairgeau.

[56 FR 46369, Sept. 12, 1991]

EFFECTIVE DATE NOTE: At 59 FR 10055, Mar. 3, 1994, in § 917.4, the words “, and (b) all varieties of pears except Beurre Hardy, Beurre D'Anjou, Bosc, Winter Nelis, Doyenne du Comice, Beurre Easter, and Beurre Clairgeau” were suspended, effective April 4, 1994.

#### § 917.5 Grower.

*Grower* is synonymous with producer and means any person who produces fruit for market in fresh form, and who has a proprietary interest therein.

#### § 917.6 Handle.

*Handle* and ship are synonymous and mean to sell, consign, deliver or transport fruit or to cause fruit to be sold, consigned, delivered or transported between the production area and any point outside thereof, or within the production area: *Provided*, That the term handle shall not include the sale of fruit on the tree, the transportation within the production area of fruit from the orchard where grown to a packing facility located within such area for preparation for market, or the delivery of such fruit to such packing facility for such preparation.

#### § 917.7 Handler.

*Handler* is synonymous with shipper and means any person (except a common or contract carrier transporting fruit owned by another person) who handles fruit.

#### § 917.9 Fiscal period.

*Fiscal period* is synonymous with fiscal year and means the 12-month period ending on the last day of February of each year, or such other period that may be approved by the Secretary pursuant to recommendations by the committee.